

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**

23-01927 BKOBJ02  
BROCK & SCOTT, PLLC  
302 Fellowship Rd, Suite 130  
Mount Laurel, NJ 08054  
(844) 856-6646  
Attorneys for Wells Fargo Bank, N.A.

In Re:

WILHELM ERNST HOLSCHER  
aka William Ernst Holscher

Case No: 23-10574-ABA

Hearing Date: June 28, 2023

Judge: ANDREW B.  
ALTENBURG, JR

Chapter: 13

**OBJECTION TO CONFIRMATION  
OF DEBTOR'S MODIFIED CHAPTER 13 PLAN**

Wells Fargo Bank, N.A. ("Creditor"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Modified Chapter 13 Plan* [DE 33], and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on January 23, 2023.
2. Creditor holds a security interest in the Debtor's real property located at 410 Clements Bridge Rd, Barrington, NJ 08007 (the "Property"), by virtue of a Mortgage.
3. The Debtor filed a Chapter 13 Modified Plan (the "Plan") on February 20, 2023 [DE 33].
4. Creditor filed a Proof of Claim in this case on February 22, 2023 (Claim No. 3), listing pre-petition arrearage totaling \$258.87.
5. The Plan does not include Creditor's claim at all, and therefore does not conform to Creditor's timely-filed Proof of Claim.

6. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Creditor objects to any plan which proposes to pay it anything less than \$258.87 as the pre-petition arrearage over the life of the plan.

**WHEREFORE**, Creditor respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Creditor as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Matthew Fissel

Matthew Fissel, NJ Bar No. 038152012

Andrew Spivack, NJ Bar No. 018141999

Jay Jones, NJ Bar No. 972011

Attorney for Creditor

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**CERTIFICATION OF SERVICE**

1. I, Cassondra Emanuel:

☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for BROCK & SCOTT, PLLC, who represents Wells Fargo Bank, N.A. in the above captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On May 30, 2023, I sent a copy of the following pleadings and/or documents to the parties listed below:

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: May 30, 2023

/s/ Cassondra Emanuel  
Cassondra Emanuel

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
WILHELM ERNST HOLSCHER 700 AVONDALE AVENUE HADDONFIELD, NJ 08033	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
ANDREW B. FINBERG 525 ROUTE 73 SOUTH, SUITE 200 MARLTON, NJ 08053	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Isabel C. Balboa Cherry Tree Corporate Center 535 Route 38 - Suite 580 Cherry Hill, NJ 08002	Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
U.S. Trustee US Dept of Justice	US Trustee	<input type="checkbox"/> Hand-delivered

<p>Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102</p>		<p><input type="checkbox"/> Regular mail</p> <p><input type="checkbox"/> Certified mail/RR</p> <p><input type="checkbox"/> E-mail</p> <p><input checked="" type="checkbox"/> Notice of Electronic Filing (NEF)</p> <p><input type="checkbox"/> Other _____ (as authorized by the court *)</p>
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\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.